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PTO/SB/21 (08-00)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/685,922
Filing Date	10/14/2003
First Named Inventor	HEARD, Jacqueline
Group Art Unit	1636
Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission: 61*	Attorney Docket Number: MBI-0049 CIP

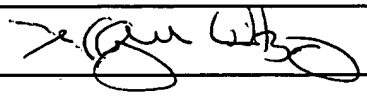
ENCLOSURES *(check all that apply)*

- [✔] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment / Reply [PRELIMINARY]
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [✔] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts/ Incomplete Application
  - [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Assignment Papers *(for an Application)*
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [ ] Proprietary Information
- [ ] Status Letter
- [✔] Other Enclosure(s) *(please identify below)*:
  - Return Receipt Postcard
  - Form 1449 (2 pages)
  - 11 References (Refs. 1-11)

Remarks

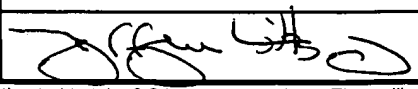
* Does not include postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffrey M. Libby, Ph.D., Reg. No. 48,251 Mendel Biotechnology, Inc. 21375 Cabot Blvd., Hayward, California 94545
Signature	
Date	03/15/2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 3/15 /04

Typed or printed name	Jeffrey M. Libby		
Signature		Date	03/15/2004

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PTO/SB/17 (10-03)
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 0

Complete if Known	
Application Number	10/685,922
Filing Date	October 14, 2003
First Named Inventor	HEARD, Jacqueline
Examiner Name	Not Yet Assigned
Art Unit	1636
Attorney Docket No.	MBI-0049 CIP

METHOD OF PAYMENT *(check all that apply)*

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☑ Deposit Account:

Deposit Account Number: 50-1025

Deposit Account Name: Mendel Biotechnology, Inc

The Director is authorized to: *(check all that apply)*

☑ Charge fee(s) indicated below ☑ Credit any overpayments

☑ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, **except for the filing fee** to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims		Fee from below		Fee Paid
Total Claims		-20** =		X	=
Independent Claims		- 3** =		X	=
Multiple Dependent					=

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)

***or number previously paid, if greater; For Reissues, see above*

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	0
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($) 0

SUBMITTED BY				(Complete *(if applicable)*)	
Name (Print/Type)	Jeffrey M. Libby	*Registration No. (Attorney/Agent)*	48,251	*Telephone*	510-259-6138
Signature				*Date*	March 15, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
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PATENT & TRADEMARK OFFICE

Docket No. MBI-0049 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: HEARD, Jacqueline, et al.

Title: Plant Transcriptional Regulators Of Abiotic Stress

Serial No.: 10/685,922 **Filing date:** 14 October, 2003

Examiner: Not Yet Assigned **Group Art Unit:** 1636

Commissioner of Patents and Trademarks
Washington, D.C. 20231

SUBMISSION OF INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Dear Sir:

Please find enclosed herewith the Information Disclosure Statement (Form 1449) and a total of eleven (11) references for the above-referenced patent application. Applicants believe that this Information Disclosure Statement has been filed within the time limits as set forth in 37 C.F.R. § 1.97(b)(3).

This Submission and Information Disclosure Statement are timely filed. However, if the Commissioner determines that an additional fee is due, the Commissioner is hereby authorized to debit or charge (respectively) Mendel Biotechnology, Inc. Deposit Account No. **50-1025**. This form is enclosed in duplicate.

Respectfully submitted,

Date: 15 March, 2004 By: _____

Jeffrey M. Libby, Ph.D.
Registration No. 48,251

Mendel Biotechnology, Inc.
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known	
Application Number	10/685,922
Filing Date	October 14, 2003
First Named Inventor	HEARD Jacqueline
Art Unit	1636
Examiner Name	Not Yet Assigned
Attorney Docket Number	MBI-0049 CIP

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number: Number - Kind Code[2] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] - Number[4] - Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known	
Application Number	10/685,922
Filing Date	October 14, 2003
First Named Inventor	HEARD Jacqueline
Group Art Unit	1636
Examiner Name	Not Yet Assigned
Attorney Docket Number	MBI-0049 CIP

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
	1	Yamada K. et al. 2002 NCBI Accession No. AAM14230	
	2	Yamada K. et al. 2002 NCBI Accession No. AAL36211	
	3	Yamada K. et al. 2002 NCBI Accession No. AAL07247	
	4	Yamada K. et al. 2002 NCBI Accession No. AAK26022	
	5	Yamada K. et al. 2002 NCBI Accession No. AAM67474	
	6	Yamada K. et al. 2002 NCBI Accession No. AAM13889	
	7	Kagaya, Y. et al. (1999) Nucleic Acids Res. 27: 470-478	
	8	Okamuro, J. (1997) Proc. Natl. Acad. Sci. USA 94: 7076-7081	
	9	Suzuki, M. et al. (1997) Plant Cell 9: 799-807	
	10	Fowler S. and Thomashow M. (2002) Plant Cell 14: 1675-1690	
	11	Singh, J.A. (2003) NCBI Accession No. CB686050	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

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